

*Attending the matters in the High Court
of Judicature at Bombay, Appellate Side*

By

*the Additional Government Pleader and
Assistant Government Pleaders.*

GOVERNMENT OF MAHARASHTRA

Law and Judiciary Department

Circular No. 885/E

Mantralaya, Mumbai- 400 032

Dated the 1-7-2003

C I R C U L A R

Attention of all the Law Officers in the State of Maharashtra is invited to the Government Circular bearing No. Sankima/ 2002/ (120)/ Desk-14 Dated, 9th January, 2003 issued by this department instructing to attend the Court, promptly on behalf of the State of Maharashtra in the matters allotted to them. However, it is noticed that some of the Law Officers have not taken the note of the said Government Circular seriously, and still remains absent in the Court/ Tribunal without permission in the matters allotted to them. In this connection attention of Additional Government Pleader and Assistant Government Pleaders, High Court (A.S.), Mumbai is invited to the observations made by the Hon'ble High Court, Judicature at Bombay, Appellate Side (CORAM: SHRI. R.M.LODHA and SHRI. A.S.AGUJAR, JJ) in the recent Judgment/ order dated : 3rd April, 2003 passed in Writ Petition No. 1112 of 1992 (Smt. Archana Abhay Wani and Ors. V/s. The Deputy Collector and Competent Authority (ULC), Nasik and Ors.). The said observations of their Lordships are reproduced as under:-

We heard Mr. V.A.Thorat, learned senior counsel for some time. When we

wanted to know who was appearing for the State Government and its functionaries Mr. N.P.Deshpande, learned Assistant Government Pleader submitted that on behalf of State Government and its functionaries Mr. S.R.Nargolkar, Assistant Government Pleader, has been assigned the matter. Mr. S.R.Nargolkar is not available in the court nor affidavit in reply has been filed by the State. We are daily facing lack of assistance by the Assistant Government Pleaders for the reasons best known to them. However, for want of assistance by Assistant Government Pleaders the old matters can not be left in lurch and allowed to remain pending.

The Government Pleader/ Additional Government Pleader, High Court (Original Side and Appellate Side), Bombay and its benches at Nagpur and Aurangabad are hereby instructed to bring this circular to the notice of all the law officers working under them and to make necessary arrangements so that the law officers shall attend the Court promptly on behalf of the State of Maharashtra in the matters allotted to them, and strict action shall be taken against the concerned Law officer who remains absent in the Court without permission.

By order and in the name of the
Governor of Maharashtra

(M.G.Gaikwad)

Principal Secretary & Remembrancer of Legal Affairs

Copy for information and necessary action to: -

- 1) The Government Pleader/ Additional Government Pleader, High Court (Original Side)/(Appellate Side), (Writ Cell) Bombay, Nagpur, Aurangabad
- 2) The Joint Secretary, Law and Judiciary Department, Nagpur, Aurangabad.
- 3) The Deputy Secretary, Law and Judiciary Department/ Desk-14, Branch, 'M' Branch, Mantralaya, Mumbai.